

Attorney Docket No.: 3655/0303PUS1

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): George W. ERHART et al.

Conf. No.: 3849

Application No.: 10/674,562

Art Unit: 2614

Filed: September 30, 2003

Examiner: DEANE, W. J. Jr.

Title: ESTIMATION OF EXPECTED VALUE
FOR REMAINING WORK TIME FOR
CONTACT CENTER EMPLOYEES

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

REQUEST FOR REVIEW BY SUPERVISORY PATENT EXAMINER
PURSUANT TO MPEP 707.02

Sir:

Section 707.02 of the MPEP provides:

The supervisory patent examiners are expected to personally check on the pendency of every application which is up for the third or subsequent Office action with a view to finally concluding its prosecution.

Any application that has been pending five years should be carefully studied by the supervisory patent examiner and every effort should be made to terminate its prosecution. In order to accomplish this result, the application is to be considered "special" by the examiner.

The present application has been pending for over five years, and the present Office Action is the fourth Office Action to issue. The examiner has not responded to many of Applicant's arguments and continues to rely on an improper standard for establishing obviousness (obvious based on a "fair reading" of the references) without providing any legal authority for this standard. It will therefore be necessary to issue at

least one additional non-final Office Action to address the issues that should have been addressed in the present Office Action, and this will further delay the termination of prosecution. It is respectfully requested that the examiner's supervisor "carefully study" the present application so that all claims can be allowed or a clear issue for appeal can be developed for the record.

Respectfully submitted,

/Scott T Wakeman #37750/

Scott L. Lowe

Registration No. 41,458

Scott T. Wakeman

Registration No. 37,750

PO BOX 1364
Fairfax, VA 22038-1364
1.703.621.7140

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